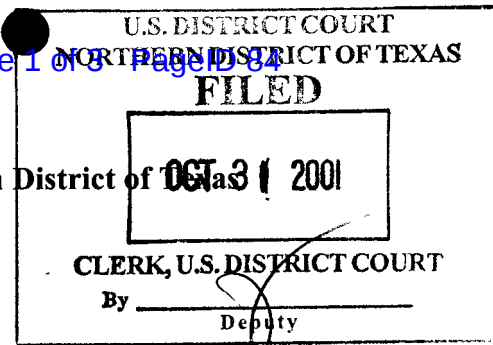


ORIGINAL

In the United States District Court for the Northern District of Texas
Dallas Division



(USA and)
Jamal Elhaj-Chehade
Co- plaintiff

Vs.
Educational Commission for Foreign Medical Graduates
(entities and individuals) defendants

3:01-CV-01301-L

Plaintiff's response to the defendants' response to the plaintiff motion to file out of time

October 25, 2001

Comes now on this day, this should serve as the plaintiff preliminary response and objection to the defendants claims as follow

- 1- The USDC court already granted an extension to amend the complaint until March 2002 and the plaintiff will do so at a later date.
- 2- The plaintiff motion to extricate is limited to the non federal Claims that are not related to the federal clause involving fraud, corruption and abuse of the 503(3)(C) and of other federal matter. Such extrication is limited solely to the Public nuisance Claim. Because The remaining non federal matters arise and are related to the Federal matters and constitution in Use of property and contract and patent, royalty, and double jeopardy and protection of the laws (including fifth and fourteen Amendments) such non federal matters are prosecutable in federal court as arising out of the same acts.
- 3- The plaintiff clearly established standing in the matter in that the defendants do have a duty for life(federal and international) toward the plaintiff. Such duty cannot be amended or broken by any mean **absent** the consent of the plaintiff. The defendants are supposed to use the assets generated according to their charter and aims and missions that granted the 503 C3 status or application and that the defendants abuse and lack of considerations or fulfillments of their obligations caused the plaintiff the injuries for which various and all forms of reliefs are requested.
- 4- **The plaintiff repeatedly request that a Conference be scheduled in front of the judge in the presence of the parties or their representatives. and this must be done before any ruling in any motion. The plaintiff is available for such purpose seven days of the week specially in the afternoon**
- 5- The plaintiff denies that he did not establish his claims and his injuries. The plaintiff statements are self explanatory in that the defendants do have duty in accordance of some charter and they always must act in good faith according to the aims and missions in which they are bound and that the defendants corruptions caused the plaintiff injuries. The defendants admitted in the case 3:99 CV 680-D/BC to be sponsored by six major parties and to have raised funds from more than sixty thousands candidates each year. The defendants income Tax prove that there are Millions of Dollars as either, missing, abused, diverted, wasted,

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inappropriately allocated defendants misplaced, diverted, or abused. The defendants Income Tax also prove each element of every claim brought against them in this case 3-01-CV-1301-L and in the 3:99 CV 680-D/BC. It also prove that the defendants are recruiting, employing and engaging in practices that fall into RICO in price fixing which caused the immediate and proximate injuries to the plaintiff as a consumer, and as potential provider, and as a candidate for employment and as a public member. Further more the defendants claims exemptions based on fraudulent status and deception and that the presence of abuse and fraud and deception not only Void the USDC orders in 3:99 CV –680-D/Bc but also make the defendants **liable not only for their actions** for July 1997and afterward. But also for events that **occurred long before in** that the statute of limitations never ran out(or it does not apply) because the defendants fraud and deception.

- 6- The facts that defendants did not use Properly the funds in accordance of their aims and missions or in accordance to the 503 C 3, have caused the plaintiff injuries for which relief must be granted.
- 7- The defendants fraudulently admitted to some inflated expenditures as mean to violate the Tax laws and extort or embezzle or divert funds from their intended and real purpose as intended to be used. There are Millions of dollars in claimed expenditures(that are never made) and some expenditures are inflated and suspicious Legal expenditures each year that the defendants must provide details in how each dollars was spent. Furthermore, The inflated yearly legal expenditures constitute an *admission* by the defendants of their pattern of abuse and that the defendants actions are premeditated. And that the defendants are willing to Misallocate and spend Millions of dollars in crushing and destroying the plaintiff(or his colleagues) rather than spending such fund appropriately in accordance of the defendants charter, aims and mission.
- 8- The defendants income tax return also prove not only that the defendants failed to use the funds generated in accordance with the charter 503C3 and aims and mission, but also they use the funds premeditatedly in violation of the US laws and Constitution including but not limited to RICO. And that the defendants violations of various laws are the proximate cause of harm and injuries to the plaintiff. The issue is not only whether the defendants acted in accordance of their aims and mission , but also whether such action was legal in nature.
- 9- The plaintiff denies that his request for evidence is cumbersome and confusing. The plaintiff requests for documents from the defendants are all admissible under FRCP rules of evidences(public records, directories, general publications or distribution done by the defendants). The defendants already published or printed, and distributed such documents publicly and worldwide. And the defendants must provide such documents immediately and the plaintiff provided facts to such demands. The defendants engaged in questionable investments that violate the defendants charters aims and mission. Furthermore, the defendants requested similar documents from the plaintiff in their deposition. The defendants must provide copies of canceled checks stubs that were used for refund fees, and legal expenditures. The checks must provide the name of the recipient, address, ECFMG applicant number(where applicable) and the name of the bank and account in

- which they are deposited. Furthermore, the defendants income tax filing must be submitted entirely as submitted to the IRS which provide names, status, application of the defendants, and its employees and their inflated salaries, and expenditures to each organization and person and why.
- 10- The plaintiff asserts that the defendants admitted to every element of every claim brought against them and the plaintiff is demanding a preliminary conference with the defendants in the presence of the judge(s).
 - 11- The plaintiff request for defendants income tax filing is limited to the years 1993 and thereafter. And the defendants investments record since 1997. and the defendants annual report since 1997 and all those document are admissible and are not cumbersome since. The plaintiff is entitled to request any document that is part of the content of the defendant income tax for those year(it is like an audit) because the plaintiff does have an interest in the fate of each penny spent or not by the ECFMG(Special relationships exist between the plaintiff and the defendants).
 - 12- The plaintiff requests for documents was in response to the defendants request for documents and that the plaintiff stated he will do so any time and preferably in the court room. This will prove all the plaintiff claims.
 - 13- The court must send a consent form to Judge Boyle as to be included as a defendant(technicality) provided this court will reopen the case 3:99-CV 680-D/BC because the case is active and the orders are void for reasons previously mentioned.
 - 14- The plaintiff is entitled to answer out of time to the defendant status report. Because the status report contains statements that are fabricated and not agreed upon. In addition, the plaintiff stated that he does wish to consolidate all proceedings against the defendants and this court must reopen the case 3:99-CV 680-D/BC because the USDC orders are Null and Void in the presence of new evidences and developments that include fraud and deceptions{ Note: the USDC is also void because it is unconstitutional, done under the influence, violate the US Supreme laws, and based on fabricated and made up proceedings and wrongful assumptions that the plaintiff cannot prove his case, and lack the new evidences and done without hearing}. The court must compel the defendants to produce the document and to allow deposition be conducted at a later date and often as necessary. The defendants must learn to stop their mockery and start complying with the US laws and Constitution and give allegiance to the United States, to the flag, to the people, and to the supreme Laws of the land.

Certificate of service: this is to certify that a true copy of the foregoing was sent to the defendant on the 31th October , 2001 via regular prepaid postage USPS and via e-mail(October 30, 2001) via their attorneys Mrs. Susan Schwartz and via airmail regular USPS at 6688 N. Central Expressway #850 Dallas Texas 75206--3913,

Respectfully Submitted
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